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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 GREGORY GOMES,

11 Plaintiff,

12 v.

13 THE BOEING COMPANY,

14 Defendant.

CASE NO. C17-0864JLR

ORDER OF DISMISSAL

15 On June 19, 2017, the court ordered Plaintiff Gregory Gomes, who is proceeding  
16 *pro se* and *in forma pauperis*, to show cause why the court should not dismiss his  
17 complaint pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii). (*See* 6/19/17 Order (Dkt. # 5) at  
18 1-3.) The court indicated to Mr. Gomes that his untimely EEOC charge appeared to  
19 foreclose his claim. (*Id.* at 1-3; *see* EEOC Charge (Dkt. # 4-1) at 1.) Mr. Gomes did not  
20 respond to the court's order. (*See* Dkt.) He did, however, file a praecipe asking the court  
21 to issue summons. (Pr. (Dkt. # 6).) That praecipe attaches the same complaint that Mr.

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1 Gomes initially filed and the court addressed in its order to show cause. (*Compare id.* at  
2 2-4, 10, *with* Compl. (Dkt. # 4) at 1-3, *and* EEOC Charge (Dkt. # 4-1) at 1.)

3 The court's order to show cause cautioned Mr. Gomes that failure to timely  
4 respond to the court's order or remedy the deficiencies identified in the order would  
5 result in the dismissal of his complaint. (6/19/17 Order at 4.) Mr. Gomes failed to  
6 respond to the order to show cause (*see* Dkt.), and his only filing subsequent to the  
7 court's order to show cause fails to cure the deficiencies that the court identified (*see*  
8 6/19/17 Order at 1-4; Pr. at 1-10). Accordingly, the court concludes that Mr. Gomes's  
9 untimely EEOC charge forecloses his claim and DISMISSES his complaint with  
10 prejudice and without leave to amend.

11 Dated this <sup>th</sup>12 day of July, 2017.

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13 JAMES L. ROBART  
14 United States District Judge  
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